IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION F NO. 4102 OF 2004
IN
FIRST APPEAL NO.1102 OF 2003

Smt Sushilabai Tukaram Jadhav, .. Applicant
Vs
1. Smt Bhamabai Vasudeo Supate
since deceased through her L.Rs
1A. Rajendra Vasudeo Supate & ors.. Respondents

Mr A.P.Kulkarni i/by Mr A.A.Kumbhakoni, for the applicant.
Mr S.D.Dhakephalkar, for respondent nos 2 to 5.

CORAM : S.B.MHASE &
D.B.BHOSALE, JJ.

DATE : APRIL 12, 2005.

P.C.

1. Heard Mr Kulkarni, for the applicant and Mr Dhakephalkar, for respondent nos 2 to 5.

2. This is an application to set aside the conditional order dated 20.9.2004 and to restore First Appeal No.1102 of 2003 against respondent no.1 and nos. 6 to 15. In the main appeal, respondent no.1 and nos 6 to 15 were not served, and since the steps were not taken the conditional order was passed and that order was not complied with, the matter was dismissed as against respondent no.1 and nos 6 to 15. After getting their addresses etc, the present civil

application is filed to restore the main matter and in this civil application respondent no.1 and nos 6 to 15 are served. All the respondents are equally served. Therefore, the respondents have no objection for setting aside the said order. Therefore, the order dated 29.9.2004 passed by this Court is hereby set aside. The main matter is restored to file as against respondent no.1 and nos 6 to 15. The civil application is disposed of.

(D.B.BHOSALE, J.) **(S.B.MHASE, J.)**

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